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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,505	12/28/2000	Tomasz Imielinski	1419-134 US	6852

7590 09/22/2004
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EXAMINER

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,505

Applicant(s)

IMIELINSKI ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-99 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 13-15, 17-37, 46-48, 50-70, 79-81 and 83-99 is/are rejected.
- 7) ☒ Claim(s) 5-12, 16, 38-45, 49, 71-78, 82 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/23/01.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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DETAILED ACTION

1. This action is responsive to communications: original application filed 12/28/2000 with provisional priority filing date of 12/30/1999. IDS filed 3/23/2001.
2. Claims 1-99 are pending. Claims 1, 34, 67 are independent claims.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: Virtual Tags And The Process Of Virtual Tagging Utilizing User Feedback And Transformation Rules.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 19, 52, 85 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. Applicant's claimed "cube" which is critical or essential to the practice of the invention (claim 19), is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

In regard to dependent claims 19, 52, 85, the examiner cannot find sufficient support for enablement of Applicant's claimed use of "cubes". Although page 17 (and Figure 10) of Applicant's disclosure mentions cubes, nevertheless, the skilled artisan would not know how to make and use Applicant's invention because there is insufficient definition and explanation of this feature within the context of Applicant's invention.

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6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claims 1-99 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

In regard to independent claims 1, 34, 67, claims 1, 34, 67 each recite the limitation “*said one or more extraction rules*”. There is insufficient antecedent basis for this limitation in each of said claims. The examiner’s suggestion of amending each of said claims to read “one or more extraction rules”, will serve to overcome this rejection.

In regard to dependent claims 4, 37, 70, each of claims 4, 37, 70 recite the limitation “*said virtual repository*”. There is insufficient antecedent basis for this limitation in each of said claims. The examiner’s suggestion of amending said claim to read “*a virtual repository*”, will serve to overcome this rejection.

In regard to dependent claim 19, 52, 85, the phrase “*plurality of cubes*” is vague and indefinite. It is unclear to the examiner what categorizing elements as a “*plurality of cubes*” means within the context of Applicant’s invention.

For the purpose of compact prosecution, the following art based rejections are based upon a possible interpretation of cubes as “objects”.

In regard to dependent claims 2-33, 35-66, 68-99, claims 2-33, 35-66, 68-99 are rejected for fully incorporating the deficiencies of their respective base claims.

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Allowable Subject Matter

5. Claims 5-12, 16, 38-45, 49, 71-78, 82 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 1st and 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 15, 17-19, 23, 25-37, 47-48, 50-52, 56, 58-70, 80-81, 83-85, 89, 91-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. (hereinafter Bernardo), U.S. Patent No. 6,247,032 filed June 19, 1998, issued June 2001.

In regard to independent claim 1, Bernardo teaches creation of a customized web page, as well as transforming an electronic document via modification of an area of a web site (Bernardo Abstract, column 8 lines 35-45; compare with claim 1 "*A method for transforming an electronic document comprising the steps of:*"

Bernardo teaches an authorized user (i.e. a web master) making changes to an existing document. Bernardo also teaches a preview function for displaying pages during creation (Bernardo column 8 lines 35-45, column 9 lines 41-44). Although Bernardo does not specifically teach displaying an "original" web page document to a user, nevertheless, displaying said original page would have been obvious to one of ordinary skill in the art at the time of the invention, since web editing sessions typically begin with perusal of a completed

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document (via preview function, etc.) before actual editing of said document commences, providing said user the benefit of visually sizing up an original appearance of a document for comparison purposes (compare with claim 1 *“providing a visual representation of an original electronic document to a user;”*).

Bernardo teaches feedback via indication from the web master that a new logo is to be used on all related web pages (Bernardo column 8 lines 40-45; compare with claim 1 *“receiving feedback from interaction by said user with said visual representation;”*).

Bernardo teaches construction of transformation rules via linking of a company logo to all related web pages (the methods and constructs for said linking is part of the template); therefore application of a new logo precipitates a linking rule to apply a logo layout change across all relevant pages accordingly (i.e. replacement of a logo entails extraction of the old logo) (Bernardo column 8 lines 44-49; compare with claim 1 *“constructing one or more transformation rules using said feedback, said one or more extraction rules defining transformation of said electronic document;”*).

Bernardo teaches applying a logo change to a web page, resulting in transformation of all relevant pages (extraction of the old logo, etc.) (Bernardo column 8 lines 44-49; compare with claim 1 *“applying said one or more extraction rules to said electronic document... page of customized content.”*).

In regard to dependent claim 2, Bernardo teaches a web page (Bernardo column 7 lines 45-48).

Bernardo also teaches a user viewing and updating site images (i.e. for the purpose of creating a more recent page) (Bernardo column 9 lines 30-33).

In regard to dependent claim 3, Bernardo teaches editing of (HTML) web site pages (Bernardo column 8 lines 35-35, 35-49). Since HTML is tag based (i.e. regarding layout), editing an HTML document also reflects generation and modification of a page's underlying tag structure accordingly.

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In regard to dependent claim 4, Bernardo teaches an (HTML based) template, with field data stored as an object. The linking to an from said object (i.e. the transformation/extraction rules and methods) are also part of the stored template (Bernardo column 8 lines 44-49).

In regard to dependent claim 14, Bernardo teaches creation/modification of a web page via selection of various templates. A user can customize the fields and data within said template accordingly. If a user keeps a template, the subsequent modification of its field objects are all within its related group of objects stored and associated with its selected template, resulting in a final displayed page (Bernardo Abstract, column 6 lines 1-23, column 7 lines 19-30, column 8 lines 35-19).

In regard to dependent claim 15, the method of "cut and paste" regarding textual data in a tag based (HTML) document is well known in the word processing arts (i.e. web editors such as Netscape Edit contain a cut/paste feature for editing HTML code). Although Bernardo does not specifically disclose "cut and paste", nevertheless, it would have been obvious to one of ordinary skill in the art at the time of the invention to interpret incorporation of a new logo in a site as a "cut and paste" type of operation, since an old logo is cut (or extracted) and a new logo is pasted accordingly in its place. Cutting and pasting provides the user the benefit of a convenient and familiar method of editing documents (Bernardo column 8 lines 40-49).

In regard to dependent claims 17, 18, Bernardo teaches editing of (HTML) web site pages (Bernardo column 8 lines 35-35, 35-49). Since HTML is tag based (i.e. regarding layout), editing an HTML document also reflects generation and modification of a page's underlying tag structure accordingly, therefore various tags are relevant to various areas of a web page.

Bernardo teaches a web page (Bernardo column 7 lines 45-48). Bernardo also teaches a user viewing and updating site images (i.e. for the purpose of creating a more recent page) (Bernardo column 9 lines 30-33). In addition, a web master can edit pages on a regular basis, resulting in more recent pages accordingly.

In regard to dependent claim 19, Bernardo teaches creation/modification of a web page via selection of various templates, each said template comprising a set of field objects categorized to each template. A user can customize (via feedback) the fields and data within said template accordingly. If a user keeps a template, the subsequent modification of its field objects are all within its related group of objects stored and associated with its selected template, resulting in a final displayed page (Bernardo Abstract, column 6 lines 1-23, column 7 lines 19-30, column 8 lines 35-19).

In regard to dependent claim 23, Bernardo teaches a user replacing a logo object on a page. Bernardo teaches that said object logo is linked to other pages accordingly, therefore Bernardo monitors consecutive instances via the linking to all relevant pages. The object is categorized as part of the template (Bernardo column 8 lines 44-49).

In regard to dependent claim 25, Bernardo teaches a graphic interface, and a preview function for viewing web pages accordingly (Bernardo column 7 lines 7-10, column 9 lines 41-44).

In regard to dependent claim 26, Bernardo teaches a method of web site content approval, whereby submitted web pages are submitted for review accordingly, pending publication (a form of intervening proxy) Bernardo column 10 lines 18-21, 32-52).

In regard to dependent claim 27, Bernardo teaches a method of web site content approval, whereby submitted web pages are submitted for review accordingly, pending publication (a form of monitoring pages including tags and rules) column 10 lines 18-21, 32-52).

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In regard to dependent claims 28, 29, 30, Bernardo teaches new web page content (comprising modified tags and rules, etc.) submitted for approval by a Legal Department, said Legal Department typically keeping statistics on each submission for billing purposes (i.e. sending messages of billing, subscriptions, etc.) (Bernardo column 9 lines 55-67, column 10 lines 32-53). Bernardo also teaches a web site area called “Customer Tracking Area” which is statistics related (Bernardo column 5 line 65).

In regard to dependent claim 31, Bernardo teaches editing of a web page via insertion of a new logo. Bernardo teaches a “copy” function (Bernardo column 12 lines 5, 9, 19, 23, especially lines 28-32) for copying various data etc. which preserves tags and rules accordingly when copied into a new page.

In regard to dependent claim 32, Bernardo teaches incorporation of a new site logo image on all relevant pages (i.e. parameterized by pages with logo) (Bernardo column 8 lines 40-49).

In regard to dependent claim 33, Bernardo does not specifically disclose chapters of a book. However, Bernardo teaches modifying web page content, as well as teaching web page ceation comprising “Document Library Area” and “Frequently Asked Questions Area” all utilizing the templates of Bernardo’s invention (Bernardo column 6 lines 62-67 to column 7 lines 1-5, also Figure 5). Since these areas provide reasonable suggestion to the skilled artisan of chapters and books, it would have been obvious to one of ordinary skill in the art at the time of the invention to treat the modification of a web page into a web site as integration of a new chapter within a book (i.e. different chapters and sections of a FAQ), providing the benefit of an orderly way to present information.

In regard to claims 34-37, 47-48, 50-52, 56, 58-66, claims 34-37, 47-48, 50-52, 56, 58-66 reflect the system comprising computer executable instructions used for performing the methods as claimed in claims 1-4, 14-15, 17-19, 23, 25-33, respectively, and are rejected along the same rationale.

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In regard to claims 67-70, 80-81, 83-85, 89, 91-99, claims 67-70, 80-81, 83-85, 89, 91-99 reflect the computer program product comprising computer executable instructions used for performing the methods as claimed in claims 1-4, 14-15, 17-19, 23, 25-33, respectively, and are rejected along the same rationale.

8. Claims 13, 20-22, 46, 53-55, 79, 86-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo as presented in claims 1, 33, 67 above; and further in view of Ferrel et al. (hereinafter Ferrel), U.S. Patent No. 6,584,480 filed October 30, 2000 (priority to July 17, 1995), issued June 2003.

In regard to dependent claim 13, 20, Bernardo does not specifically teach building/parsing a tree structure. However, Ferrel teaches parsing content objects of a MPML (a variant of HTML) document into a tree structure with root, leaves etc., and parsing said tree accordingly (i.e. via known tree parsing methods of depth first or breadth first searching, etc.) (Ferrel column 3 lines 64-67, column 4 lines 35-40, Figure 14, column 31 lines 45-60). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Ferrel to Bernardo, providing Bernardo the benefit of tree parsing to facilitate a more orderly arrangement of data.

In regard to dependent claims 21-22, claims 21-22 incorporate substantially similar subject matter as claimed in claims 13, 20, and are rejected along the same rationale.

In regard to claims 46, 53-55, claims 46, 53-55 reflect the system comprising computer executable instructions used for performing the methods as claimed in claims 13, 20-22 respectively, and are rejected along the same rationale.

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In regard to claims 79, 86-88, claims 79, 86-88 reflect the computer program product comprising computer executable instructions used for performing the methods as claimed in claims 13, 20-22 respectively, and are rejected along the same rationale.

9. Claims 24, 57, 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo as presented in claims 1, 33, 67 above, and further in view of Fields et al. (hereinafter Fields), U.S. Patent No. 6,128,655 filed October 3, 2000 issued October 2000 (cited in Applicant's IDS).

In regard to dependent claim 24, Bernardo does not specifically teach XML. However, Fields teaches filtering (i.e. rules, tags, etc.) of web content using XML (Fields column 12 lines 5-9, 39-43). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Fields to Bernardo, providing Bernardo the benefit of XML for more up to date DTDs and greater expandability.

In regard to claim 57, claim 57 reflects the system comprising computer executable instructions used for performing the methods as claimed in claim 24 and is rejected along the same rationale.

In regard to claim 90, claim 90 reflects the computer program product comprising computer executable instructions used for performing the methods as claimed in claim 24, and is rejected along the same rationale.

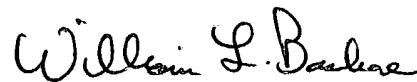
Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached on 11:30am - 8:00pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William L. Bashore
Patent Examiner AU 2176
September 16, 2004